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FISCAL IMPACT REPORT

SPONSOR: Ponce DATE TYPED: 2/13/03 HB 95/aHAGC

SHORT TITLE: Phraetophyte Eradication and Control SB _____

ANALYST: L. Baca

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
	\$5,000.0			Recurring	GF

(Parenthesis () Indicate Expenditure Decreases)

Relates to HB 124, Phreatophyte Eradication and Control

Relates to Appropriation for New Mexico State University in the General Appropriation Act.

SOURCES OF INFORMATION

LFC files

Responses Received From

New Mexico Department of Agriculture (NMDA)

Energy, Minerals and Natural Resources Department (EMNRD)

SUMMARY

Synopsis of HAGC Amendments

The HAGC amendments add an emergency clause to the bill, change the expenditure authorization to fiscal years 2004 and 2005, stipulate the appropriation will be equally divided and used in both the Pecos River and Rio Grande basins; and adds the following language:

“B. The appropriation provided in this section is contingent on soil and water conservation districts:

- (1) developing management and native vegetation restoration plans;
- (2) conducting hearings within the local conservation districts to receive public input on the plans,

- (3) carrying out aerial spraying only by helicopter or ground application with prior public notice;
- (4) monitoring and evaluating the effects of control on wildlife, water quality, vegetation and soil health; and
- (5) if control affects threatened or endangered species, complying with applicable federal law and conforming to any duly enacted recovery plan.”

Synopsis of Original Bill

House Bill 95 appropriates \$5,000.0 from the general fund to the Board of Regents of New Mexico State University for expenditure in fiscal years 2003 through 2005 for a non-native phreatophyte eradication and control program on the Pecos River and the Rio Grande basin.

Significant Issues

The Laws of 2002, Chapter 4, of the First Extraordinary Session include an appropriation of \$2.5 million for each of the two river basins. The \$5.0 million total appropriation will be passed through NMSU to soil and water conservation districts with \$2.5 million earmarked for each of the river basin areas. The NMDA, which will continue to administer and oversee the activities, reports that great progress has been made in the Pecos River Basin where more than 9.1 thousand acres of salt cedar have been treated.

FISCAL IMPLICATIONS

The appropriation of \$5,000.0 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2005 shall revert to the general fund.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Bill 124 is similar to HB 95. HB 95 appropriates \$5,000.0 to NMSU to support soil and water conservation districts efforts to manage salt cedar and other phraetophytes in the Pecos River Basin.

OTHER SUBSTANTIVE ISSUES

This request was not submitted to the Commission on Higher Education for funding.

AMENDMENTS

The CHE suggests the following language for all new recurring higher education programs and expansion of current programs (assuming that funding will continue beyond 2002-2003):

“The institution receiving the appropriation in this bill submit a program evaluation to the Legislative Finance Committee and the Commission on higher Education by August 2005 detailing the benefits to the State of New Mexico from having implemented this program over a three period.”

POSSIBLE QUESTIONS

1. How have personnel from soil and water conservation districts been involved in planning, developing and implementing the control and eradication ?
2. How long will it take to completely eradicate these non-native plants?
3. Does NMDA have a statewide strategic plan for these programs ?

LRB/prr